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EXAMINER

BONSHOCK, DENNIS G

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/832,966

Applicant(s)

AMADIO ET AL.

Examiner

Dennis G. Bonshock

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 10-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 10-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/03)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. It is hereby acknowledged that the following papers have been received and placed on record in the file: Amendment B as received on 5-21-04.

2. Claims 1-5 and 10-26 have been examined.

Status of Claims:

3. Claims 1-5, 10-17 and 19-26 are rejected under 35 U.S.C. 102(a) as being anticipated by Poole, "Mac OS 8.5 Bible".

4. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Poole.

Drawings

5. The drawings were received on 5-21-04. These drawings are acceptable.

Claim Objections

6. Claim 22 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 22 appears to teach the same limitation that was added to independent claim 20, from which it depends, on 5-21-04.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. Claims 1-5, 10-17 and 19-26 are rejected under 35 U.S.C. 102(a) as being anticipated by Poole, "*Mac OS 8.5 Bible*".

9. With regard to claim 1, which teaches a method of providing a graphical user interface to an operating system comprising the steps of: providing an operating system user interface manipulable by a user, Poole teaches, on page 159, paragraph 1, that clicking the column headers sorts by that heading. With regard to claim 1, further teaching a frame controlled by the operating system including a graphical representation of an item and a slot, Poole teaches, on page 159, paragraph 1 and in figure 7-9, displaying a graphical representation of each item provided in a slot. With regard to claim 1, further teaching placing a property of the item in the slot responsive to a user selecting the property, Poole teaches, on pages 158 and 159, a display of a preview of an item in a slot upon selection of a user selectable property of an item in the list.

10. With respect to claim 2, teaching displaying the view in a folder view of a graphical environment, Poole teaches, on page 159, paragraph 1 and in figure 7-9, that the items displayed are part of the Desktop Pictures folder.

11. With respect to claim 3, teaching the step of displaying the view in an array on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, the items displayed in an array.

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12. With respect to claim 4, teaching the operating system sorting the frames by the user-selected property, Poole teaches, on page 109, paragraph 2 and figure 6-3, arranging the icons by a user selectable property.

13. With respect to claim 5, teaching the frame providing a plurality of sortable properties of the item, Poole teaches, on page 109, paragraph 2 and figure 6-3, arranging the icons by a user selectable property.

14. With respect to claim 10, which teaches a computer readable medium having computer-executable instructions for performing steps comprising: a database component for storing properties of a first item type and properties specific to a second item type with the properties specific to the second item type different from the set of properties specific to the first item type, Poole teaches, on page 159, paragraph 1 and in figure 7-9 and further on page 84 and 109, a folder of disk volume for storing a icon name, modification date, etc, where in the list view folders do not display a size because it is not a relevant property, while other items that do have a relevant size display the size information. With respect to claim 10, further teaching a first control component for providing a graphic user interface on a video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, a controllable folder for retrieving stored information and displaying it on the screen. With respect to claim 10, further teaching a second control component for displaying the properties of the item on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, that when a given folder is selected the corresponding stored information is retrieved from the folder and displayed on the screen. With regard to claim 10, further teaching a user

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interface component responsive to user requests for requesting the display of the properties of the item on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, a user interface for requesting a specific manipulable display on the screen. With regard to claim 10, further teaching the first control component configured to retrieve the stored properties from the database component, Poole teaches, on page 159, paragraph 1 and in figure 7-9, that when a given folder is selected the corresponding stored information is retrieved from the folder. With regard to claim 10, further teaching sending the properties to the second control component which displays the properties dynamically in a frame on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, that when a given folder is selected the corresponding stored information is retrieved from the folder and displayed on the screen.

15. With respect to claim 11, which teaches having computer-executable instructions wherein the user interface component requests the sort arrangement of the properties of the item on the video screen, Poole teaches, on page 109, paragraph 2 and figure 6-3, arranging the icons by a user selectable property on the display screen.

16. With respect to claim 12, which teaches receiving a sort request from the user, sorting the properties by the sort request, and displaying the sorted properties on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, the user selecting a column heading, the items being sorted by this heading, and it being displayed on the display screen.

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17. With respect to claim 13, which teaches a graphical user interface including a display, Poole teaches, on page 109, paragraph 2 and figure 6-3, a navigation services dialog box displayed on a user interface. With regard to claim 13 further teaching a graphical user interface including a user interface selection device, Poole teaches, on page 162, paragraph 5, the user navigating the folder environment through the use of a keyboard. With regard to claim 13, further teaching a method of selecting from a menu, Poole teaches, on page 109, paragraph 2 and figure 6-3, the user selecting properties from a menu. With regard to claim 13, further teaching providing specific properties about an item, Poole teaches, on page 159, paragraph 1 and in figure 7-9, the items having specific properties associated with them. With regard to claim 13, further teaching the steps of displaying a set of menu entries including a tile menu entry, receiving a first menu entry execution signal indicative of the user interface selection device pointing at the tile menu entry on the display, displaying an arrange item menu entry including a set of cascade menu items associated therewith, receiving a menu entry selection signal indicative of the user interface selection device pointing at the arrange item menu entry on the display, in response to the selection signal, displaying the cascade menu items, receiving a second menu entry execution signal indicative of the user interface selection device pointing at one of the cascade menu items associated with the arrange item menu entry, in response to the first and second execution signals, retrieving from a default directory the specific properties of the item, displaying dynamically the properties of the item that are specific to that item in a tile format on the

display, and arranging the properties of the item on the display based on the selected one of the cascade menu item, Poole teaches, on page 109, paragraph 2 and figure 6-3, the process of pointing to a menu, the menu expanding, moving over a new element, expanding to show new elements, moving into this new submenu, selecting a function, and then the specific function being implemented by arranging the icons accordingly and displaying the resultant folder on the display.

18. With respect to claim 14, which teaches the tile format being a user interface display, which includes an icon, Poole teaches, on page 159, paragraph 1 and in figures 7-9, the items having a specific icon, which represents them. With regard to claim 14, further teaching at least one row of item properties located adjacent to the icon, Poole teaches, on page 159, paragraph 1 and in figure 7-9, the items having a properties adjacent to them.

19. With respect to claim 15, which teaches the tile format is a user interface display comprising an icon and two rows of item properties, Poole teaches, on page 131, paragraph 1 and figure 6-17, items having multiple associated item properties.

20. With respect to claim 16, which teaches receiving a third menu entry execution signal indicative of the user interface selection device pointing at the icon, and in response opening the item represented by the icon, Poole teaches, on page 160, paragraph 3 and 5, and figure 6-17, the items being able to be opened by clicking on it once and clicking on the open button or by double clicking on the icon.

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21. With respect to claim 17, which teaches the item being a text file, Poole teaches, on page 11, figure 1-10 teaches that the documents can be text documents.

22. With respect to claim 19, which teaches the item being an image file, Poole teaches, on page 159, paragraph 1 and in figure 7-9, the item being an image file.

23. With regard to claim 20, which teaches a method of displaying a listing of files of one of the plurality of file types, Poole teaches, on pages 84 and 159, the displaying of a listing of files of a plurality of file types. With regard to claim 20, further teaching the set of relevant properties of the file type differs from the set of relevant properties of another of the plurality of file types, Poole further teaches, on page 84, the file size not being listed for folder files as it was listed for other files. With regard to claim 20, further teaching receiving a user selection of a property for the file type of the file, Poole further teaches, on pages 84, 158, and 159, the user selection of a property for the file. With regard to claim 20, further teaching displaying the selected property with a graphical representation of the file, Poole further teaches, on pages 84, 158, and 159, the user selection of a property for the file resulting in a preview of the document being displayed.

24. With regard to claim 21, which teaches receiving including receiving the user selection of the property from a list of the relevant properties of the file type, Poole further teaches, on page 161, the users ability to both "add to favorites", or "remove from favorites" and on pages 83 and 84, selection of one of the item properties (date, size, kind).

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25. With regard to claim 22, which teaches the set of relevant properties of the file type differs from the set of relevant properties of another of the plurality of file types, Poole further teaches, on page 84, the file size not being listed for folder files as it was listed for other files.

26. With regard to claim 23, which teaches ordering the set of files based on the displayed property, Poole further teaches, on page 83 and 84, ordering the files by selecting a specific column heading, and organizing the columns by dragging the column headings.

27. With regard to claim 24, which teaches a computer readable medium having computer readable instructions for implementing the system, Poole further teaches, on page 83, the system implemented on Mac OS 8.5, a computer readable medium having computer readable instructions.

28. With regard to claim 25, which teaches a computer readable medium having computer readable instructions for implementing the system, Poole further teaches, on page 83, the system implemented on Mac OS 8.5, a computer readable medium having computer readable instructions.

28. With regard to claim 26, which teaches the set or relevant properties for one or he file types is different from eh set of relevant properties of the other file types, Poole teaches, on page 159, paragraph 1 and in figure 7-9 and further on page 84 and 109, in the list view, folders do not display a size because it is not a relevant property, while other items that do have a relevant size display the size information.

Claim Rejections - 35 USC § 103

29. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

30. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Poole. Poole teaches, on page 159, paragraph 1 and in figure 7-9, a folder in which items are stored along with several properties and an icon. But doesn't teach the items being audio files. It would have been obvious to one of ordinary skill in the art, having the teachings of Poole before him at the time the invention was made to modify the folders of Poole to contain audio files. One would have been motivated to make such a combination because keeping consistency across formats, audio files and image files, will allow the user to be able to use both without un-necessary training.

Response to Arguments

31. The arguments filed on 5-21-04 have been fully considered, but they are not persuasive. Reasons are set forth below.

32. With respect to the applicants' argument, that Poole fails to show placing a property of the item in a slot responsive to a user selecting the property.

33. In response, the examiner respectfully submits that, Poole teaches on page 158 and 159, a display of a preview of an item in a slot upon selection of a

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user selectable property of an item in the list. The preview pane is referred to as a slot in figure 5 of the drawings submitted on 5-21-04.

34. With respect to the applicants' argument, that Poole does not teach a database component for storing properties specific to a first item type and properties specific to a second item type with properties specific to the second item type different from the set or properties specific to the first item type.

35. In response, the examiner respectfully submits that, Poole teaches, on page 159, paragraph 1 and in figure 7-9 and further on page 84 and 109, a folder of disk volume for storing a icon name, modification date, etc, where in the list view folders do not display a size because it is not a relevant property, while other items that do have a relevant size display the size information.

36. With respect to the applicants' argument, that Poole doesn't teach a tile menu entry.

37. In response, the examiner respectfully submits that Poole teaches on page 109 and in figure 6-3, selection of the view being by a menu with options such by Icons, Buttons, or List. This menu further has a cascading "Arrange" sub menu selected to show additional selectable elements. The selection, is done by Poole is similar to that of the applicant's selection of the view icon and associated pull down menu, referred to in figure 4 of the drawings submitted on 5-21-04.

38. With respect to the applicants' argument, that Poole fails to teach receiving a user selection of a property for he file type of the file wherein the set of relevant properties for one of the file types is different from the set of relevant properties of another file type.

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39. In response, the examiner respectfully submits that Poole further teaches, on page 84, the file size not being listed for folder files as it was listed for other files.

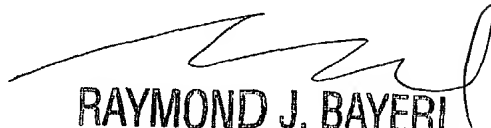
Conclusion

40. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (571) 272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

41. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

42. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9-15-04
dgb


RAYMOND J. BAYERL
PRIMARY EXAMINER
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